

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MARIE CHRISTINE FANYO-PATCHOU, *et*
14 *al.*,

15 Defendants.

16 CASE NO. CR19-0146-JCC

17 ORDER

18 This matter comes before the Court on the Government's Motion for Leave to Dismiss
19 Without Prejudice (Dkt. No. 256). Defendants Marie C. Fanyo-Patchou, Rodrigue F. Kamden
20 (also sometimes spelled Kamdem), and Christian F. Djoko do not oppose. (Dkt. No. 257.)
21 Having thoroughly considered the parties' briefing and the relevant record, the Court hereby
22 GRANTS the motion.

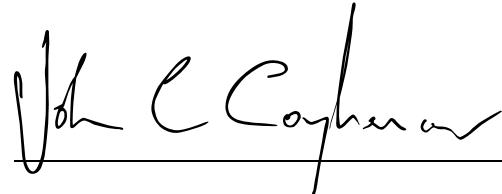
23 Federal Rule of Criminal Procedure 48(a) requires the Government to obtain "leave of
24 the court" to dismiss an indictment. This requirement gives the district court narrow discretion to
25 deny dismissal "if the motion is prompted by considerations clearly contrary to the public
26 interest." *Rinaldi v. United States*, 434 U.S. 22, 29 n.15 (1977). Because "the decision to dismiss
an indictment implicates concerns that the Executive is uniquely suited to evaluate, a district
court is limited in its ability to second-guess the government's decisions on whether and what to

1 prosecute.” *United States v. Garcia-Valenzuela*, 232 F.3d 1003, 1007 (9th Cir. 2000) (cleaned
2 up). Here, nothing suggests that dismissal would contravene the public interest in any way.

3 The Court therefore GRANTS the Government’s unopposed Motion (Dkt. No. 257) and
4 DISMISSES the indictment (Dkt. No. 1) against Defendants Marine C. Fanyo-Patchou, Rodrigue
5 F. Kamdem a/k/a Rodrigue Fodjo Kamden, and Christian F. Djoko without prejudice.

6 DATED this 15th day of September 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE